

REMARKS

Claims 1-10 are all the claims pending in the application.

I. Formalities

Applicant thanks the Examiner for indicating that the drawings filed on September 22, 2000 have been accepted.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and confirming that the certified copy of the priority document has been received.

Applicant thanks the Examiner for initialing and returning a copy of the form PTO 1449 submitted with the Information Disclosure Statement filed on September 22, 2000. However, the Examiner drew a line through the reference, and Applicant respectfully requests a clarification as to whether the reference has been considered.

II. Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 1-10 under 35 U.S.C. § 102(e) as being anticipated by Kodaira et al. (U.S. Patent No. 6,233,059) [“Kodaira”]. Applicant respectfully traverses the rejection for at least the following reasons:

Claim 1 recites an image reading apparatus that comprises “an optical filter device ...[that] sets a color correction state of a color balance of transmitted light in accordance with the information representing the type of the photographic material so that outputs for the plurality of colors from said image sensor are substantially equal.” (emphasis added). The Examiner contends that filter converting mechanism 41 corresponds to the claimed optical filter device.

At most, the Examiner’s cited section discloses that a filter is used to remove the orange color of a negative film. Beyond this disclosure about the filters, Kodaira is silent on the

characteristics of the filters. Therefore, Kodaira does not disclose or even remotely suggest that the filters set a color correction such that the color outputs from the CCD are substantially equal. Accordingly, Kodaira does not disclose or suggest at least the claimed optical filter device as set forth in claim 1.

Because claims 2-9 depend on claim 1, Applicant submits that these claims are patentable at least by virtue of their dependency.

In addition, claim 8 recites that the “optical filter device is disposed between [the] light source and the photographic material.” The Examiner cites Fig. 4 as disclosing this feature. Applicant submits that Fig. 4 does not show that the filter converting mechanism 41 is located between cathode tube 34 and first drive rollers 32 that convey film F, therefore, Kodaira does not disclose this feature as contended by the Examiner.

Claim 10 recites an image reading method in which a color balance of light incident on an image sensor ... is adjusted ... so that outputs for the plurality of colors from said image sensor are substantially equal regardless of the type of the photographic material.” The Examiner rejects claim 10 on similar grounds as claim 1.

Because claim 10 recites features similar to those in claim 1, Applicant submits that claim 10 is patentable for at least similar reasons as those set forth with respect to claim 1.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Serial No. 09/667,605

Attorney Docket No.: Q59338

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

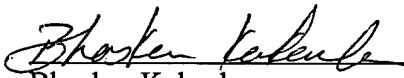
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Bhaskar Kakarla
Registration No. 54,627

Date: August 19, 2004